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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,189	06/13/2001	Yoshitaka Terasaki	109768	4046

25944 7590 06/30/2003

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EXAMINER

SORRELL, ERON, J.

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 06/30/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/879,189

Applicant(s)

TERASAKI ET AL.

Examiner

Eron J Sorrell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Leiman et al. (U.S. Patent No. 6,469,796 hereinafter Leiman).

3. Referring to claim 1, Leiman teaches an image input and output control apparatus comprising:

a first transmitting and receiving section that transmits and receives data to and from an image input and output apparatus that performs image input and output (see lines 61-67 of column 1 and lines 1-22 of column 2);

a second transmitting and receiving section that transmits and receives data to and from an information terminal apparatus that stores the data to be handled by the image input and output

apparatus in performing image input or output (see lines 61-67 of column 1 and lines 1-22 of column 2);

a control section that causes data received by one of the first transmitting and receiving section and the second transmitting and receiving section to be transferred from the other (see lines 61-67 of column 1 and lines 1-22 of column 2).

4. Referring to claim 2, Leiman teaches the input and output control apparatus further comprises a user interface providing section that provides a user interface relating to the image and output of the image input and output apparatus (see lines 23-26 of column 2).

5. Referring to claim 3, Leiman teaches an image input and output system comprising:

an image input and output apparatus that performs image input and output (see lines 61-67 of column 1 and lines 1-22 of column 2);

an information terminal apparatus that stores data to be handled by the image input and output apparatus in performing image input or output (see lines 61-67 of column 1 and lines 1-22 of column 2);

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the image input and output control apparatus according to claim 1 that transmits and receives data to and from each of the image input and output apparatus and the information terminal apparatus (see lines 61-67 of column 1 and lines 1-22 of column 2).

6. Referring to claim 4, Leiman teaches the image input and output system further comprises a billing apparatus that charges in accordance with image input or output processing of the image input and output apparatus and the information terminal apparatus (see lines 20-34 of column 5).

7. Referring to claim 5, Leiman teaches the control section causes, in causing the data received by one of the first transmitting and receiving section and the second transmitting and receiving section to be transmitted from the other, the data to be converted into a data format suitable for a transmission destination apparatus (see lines 54-64 of column 2).

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable

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novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made. Applicant must also show how the amendments avoid such references and objections. See 37 CFR § 1.111(c).

The following U.S. Patents are cited to further show the state of the art as it pertains to image input and output systems:

U.S. Patent No. 6,487,189 to Eldridge et al.

U.S. Patent No. 6,026,258 to Fresk et al.

U.S. Patent No. 5,893,116 to Simmonds et al.

U.S. Patent No. 6,249,226 to Harrison et al.

U.S. Patent No. 6,431,772 to Melo et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J Sorrell whose telephone number is 703 305-7800. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.

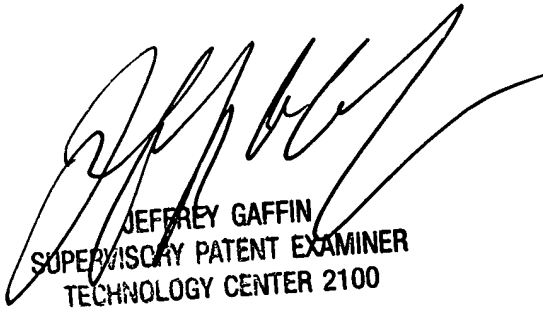
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A Gaffin can be reached on 703 308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703 746-7239 for regular communications and 703 746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-3900.

EJS

June 23, 2003



JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100